

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	CASE NO. 3:95CV69-H
)	(Financial Litigation Unit)
TIMOTHY J. REISCHMAN, D.C.,)	
Defendant(s),)	
and)	
)	
ASHEVILLE -BUNCOMBE TECHNICAL)	
COMMUNITY COLLEGE,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

The United States obtained a judgment against Defendant, Timothy Reischman, ("Reischman"), on May 2, 1995, in the amount of \$9,460.48 plus interest and cost. Subsequently, the United States sought to garnish Reischman's wages. On August 16, 2007, the Court entered a Writ of Continuing Garnishment ("Writ") to Garnishee, Asheville-Buncombe Technical Community College ("garnishee"). The United States is entitled to a wage garnishment of up to 15% of Reischman's net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673.

The defendant Reischman was served with the writ of garnishment on or about August 24, 2007 and the garnishee was served on August 24, 2007. Reischman filed a North Carolina State Tax Exempt form on September 19, 2007.

The garnishee filed an Answer on September 25, 2007, stating that at the time of the service of the Writ the garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$18,854.31 computed through October 4, 2007. The garnishee will pay the United States up to 15% of Reischman's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and the garnishee will continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to Reischman or until further Order of this court.

Payments should be made payable to the United States Department of Justice and mailed to the United States Department of Justice, P.O. Box 70932, Charlotte, North Carolina 28272-09032. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number 3:95CV69.

The plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: October 5, 2007

Carl Horn, III

Carl Horn, III
United States Magistrate Judge



CERTIFICATE OF SERVICE

I certify that on October 4, 2007, the foregoing proposed Order of Continuing Garnishment was served upon the parties listed below by electronic mail and/or mailing a copy thereof, postage prepaid and properly addressed at the last known address as follows:

Timothy J. Reischman, D.C.
3016 Old Montgomery Place Rd
Monroe, NC 28112-9528
(Defendant)

Asheville-Buncombe Technical Community College
Human Resource Department
3040 Victoria Road
Asheville, NC 28801
(Garnishee)

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